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Mr. Itkin has been under pro-

ITKIN AN INFORMER WHO HELPED F.B.I. U.S. OFFICIALS SAY

Figure in Marcus Case Said
to Have Risked Life to
'Stand Up to Mafia'

By BARNARD L. COLLIER

Herbert Itkin, one of six persons indicted in the Marcus kick-back scandal, has been described by Federal officials as an undercover agent who infiltrated the world of organized crime and reported regularly to the Federal Bureau of Investigation.

Mr. Itkin, now under 24-hour armed guard by Federal marshals, is to be the Government's key witness in a Federal conspiracy case. He is a co-defendant along with former Water Commissioner James L. Marcus; a reputed Mafia leader, Antonio (Tony Ducks) Corallo; Henry Fried, owner of a New York construction company; Daniel J. Motto a union leader, and Charles J. Rappaport, a former law partner of Mr. Itkin.

Mr. Itkin—called one of the most important Government informers in recent years—is described as having provided undercover information to the F.B.I. while he engaged in numerous private business ventures around the world.

There is no solid information on his motives for becoming an informer. However, one high Federal official has called the 41-year-old Manhattan lawyer a "strange" man who risked his life to "stand up to the Mafia."

An Element in Other Cases

Federal officials disclosed that Mr. Itkin was providing the Government with large quantities of "inside" information on underworld characters and their dealings. He is a potential witness, they say, in numerous criminal cases apart from the Marcus affair.

These cases are said to involve labor racketeering, gambling, bribery, income-tax evasion and a whole range of other felonies at the city, state and federal levels, some with international dimensions.

The story of Mr. Itkin's activities as an undercover agent was pieced together by The New York Times—and then confirmed by Government officials—after extensive interviews and a search of public and private documents and letters in New York, Washington, the Caribbean area and elsewhere.

Along with his activities as an undercover agent, Mr. Itkin was involved in numerous international business ventures.

Some of His Involvements

His associations and business dealings—at least those indicated by the available documents and by people who are willing to talk about him—show that his involvement was not only with Mafia figures like Corallo and public figures like Mr. Marcus, but with politicians in the Dominican Republic, coup-d'état-minded exiles from Haiti, businessmen in Miami, union officials in New York and Detroit, and gamblers in London.

Investigations are already proceeding on the basis of information Mr. Itkin has provided. Federal officials say they are hopeful that the inquiries will enable them to obtain several indictments in the near future.

Government officials would not specify whether Mr. Itkin was a paid or unpaid informant.

Government officials are quick to point out, however, that Mr. Itkin, despite his free-spending ways over the last several years, did not, as far as is known, amass a lot of money from his business activities.

"In fact," said one Federal official, "he is damned near broke, his family life is in a mess, he can't practice law and he can't do anything but wait it all out."

Concern has been expressed by some high Government officials about a disclosure of Mr. Itkin's background.

"There are many people," said one official, "who would like to discredit Mr. Itkin as a witness in this [Marcus] case and in other cases that might be made."

Edward Bennett Williams, the Washington lawyer who is representing Mr. Marcus in the conspiracy case, said he could not comment on the disclosure of Mr. Itkin's role.

Also of concern, some Government officials say, is Mr. Itkin's personal safety.

"But we are going to preserve him in good health until he can testify," one official said. Federal investigative agents say privately that Mr. Itkin had already been the target of an alleged murder plot for which two Long Island men are now under Federal indictment, although he has never been officially identified as the intended victim.

In a development of this aspect yesterday, Federal Judge Marvin E. Frankel ordered the Government to disclose officially who the murder target was. The indictment did not name anyone as the intended victim.

Identification Due Soon

Assistant United States Attorney Robert G. Morvillo said he would identify the alleged victim next week to the lawyers for two men indicted in the murder plot.

The two under indictment are Robert Schwartz, 43, a lawyer, of Huntington Station, L. I., and Robert Roden, 39, of Uniondale, L. I., a carpenter. No motive has ever been ascribed to the alleged plot, but it is said that it had nothing to do with the Marcus kick-back case.

Judge Frankel also ordered that the Government name the city or other place where the two men or "collaborators carried on any activities connected with 'arranging the murder' as charged in the indictment," and the names of any persons who allegedly collaborated or conspired in "arranging the murder."

Mr. Itkin's relationship with Mr. Marcus, as far as is now known, was as a friend, business partner and his personal

lawyer. City Hall officials say that Mr. Marcus introduced Mr. Itkin to other commissioners and city officials as "my lawyer."

According to some of these commissioners, Mr. Itkin made attempts afterward to meet and discuss business matters with them.

Mayor Lindsay has said that every city official who came into more than casual contact with Mr. Marcus or Mr. Itkin has reported in full to city investigators.

after he was arrested by the F.B.I. last Dec. 18 in connection with the Marcus case. Aside from Federal and local law-enforcement officials, only a few close friends know his whereabouts.

People who have spoken recently to Mr. Itkin describe him as extremely nervous. His second wife is under guard with him.

Several of Mr. Itkin's friends have described him as confident that when the Marcus case comes to trial his "real role" as an undercover agent will be made clear.

'Won't Be a Defendant'

"I won't be a defendant when the case comes up," Mr. Itkin is quoted as having told a friend. "I didn't do anything. I didn't have to do to keep from being suspect."

His current status as a defendant in the Marcus case could be changed before the trial and the charges against him could be dropped, Federal officials say.

Mr. Itkin has also told close friends that within the last five years he provided information to the Central Intelligence Agency on the activities of persons in the Dominican Republic, where he often traveled, and in Haiti, where he is also known to have had dealings.

A spokesman for the Central Intelligence Agency denied that there was anything about Mr. Itkin in its files.

Mr. Itkin appears to have been many things to many people. To some lawyers who knew him he was, as one put it, "brilliant in his law practice." Another described the swarthy, well-dressed Brooklyn Law School graduate as "normal, retiring, not one to seek the spotlight."

Called a 'Fast Talker'

But a friend describes him as "a fast-talking guy, a fast-thinking buy, who said he knew everybody and could make a deal in the blink of an eye."

He added: "Herb was always on a jet going somewhere—to London, Geneva, Rome, Santo Domingo, Haiti, Puerto Rico."

Many people regard Mr. Itkin as a specialist in labor law, but several labor leaders and mediators say they know little of his activities for unions.

It was the highly publicized Marcus case, a scandal that stunned Mayor Lindsay's administration, that first brought Mr. Itkin to wide public attention.

He was charged in a Federal indictment, along with Mr. Marcus, Corallo and others, with being part of a scheme where-

by 5 per cent of an emergency contract awarded without bidding by the Department of Water Supply, Gas and Electricity would be paid as a kick-back.

The contract, estimated at \$860,000, was awarded to S. T. Grand, Inc., which is owned by Mr. Fried and his family. It called for the cleaning and refurbishing of the Jerome Park Reservoir in the Bronx.

The indictment charges that Mr. Fried and his company paid Mr. Marcus 2 per cent of the total contract price, and gave 1 per cent each to Mr. Itkin, Mr. Motto, and Corallo.

It further charges that the conspiracy began on or about Jan. 1, 1966—eight months before Mr. Marcus became Water Commissioner on Sept. 1 and 10 months before Mr. Marcus awarded the contract to S. T. Grand.

At the same time the alleged conspiracy began, Mr. Marcus was acting as an unpaid mayoral assistant—he took responsibility for water department business and Mr. Itkin was his lawyer and partner in several joint ventures.

On Jan. 11 the case took its bizarre murder twist when the F.B.I. arrested Mr. Roden on charges of trying to buy the murder—for \$2,500, a Federal official said then—of an unidentified witness in the Marcus affair. Mr. Itkin was said then to have been that witness.

Four days later, Mr. Schwartz, the Long Island lawyer, was arrested in Manhattan as a participant in the same alleged murder conspiracy. He was charged with being involved in an attempt to murder "a witness and defendant" in the Marcus case.

Exactly a month after the Federal kickback indictment was obtained by United States Attorney Robert M. Morganthau, both Mr. Marcus and Mr. Itkin were arrested for the second time on a warrant by District Attorney Frank S. Hogan.

They were charged with having accepted a \$10,000 bribe as a down payment on any emergency contracts that a company called Vintray Enterprises, Inc., might receive from Mr. Marcus's department.

Scarcity of Documents

There are very few public documents in which Mr. Itkin's name appears. And even what is available only serves to deepen the mystery surrounding his career.

On Sept. 16, 1963, for example, Mr. Itkin filled out a form with the Justice Department to register himself as a foreign agent of the Dominican Republic.

He declared that his purpose was to act for a Coral Gables, Fla., company called Westrade, Inc., in efforts "to negotiate on behalf of the Dominican Republic and bank or brokerage company in the United States, a bond issue in the amount of \$35-million to extend over a period of 15 years."

Westrade, Inc., described as a concern that dealt in the export of furniture and the production of prefabricated buildings, has since gone bankrupt and was formally dissolved last year for nonpayment of Florida state taxes.

Despite the filed registration, the company's former president, a Haitian-born Miami businessman named Robert Deschamps, denies that Mr. Itkin was ever authorized to represent him or the company.

"I spoke to him exactly twice," Mr. Deschamps said recently. "Once in New York and once in Miami in either late 1961 or early 1962. He was sent to me, I recall, by Louis Dejoie [a Haitian political exile who opposed the Haitian President, Francois Duvalier]. He said he had met Dejoie in the Dominican Republic."

"We talked first in a hotel in Miami and he told me he could get us financing from a union pension fund—I think he said the teachers union. I told him to see what he could do and we'd discuss it again."

"Then I went to New York," Mr. Deschamps said, "and saw him in his office. I was put off by him right away. One thing was, he opened a black cabinet behind his desk and I saw a secret telephone and a nightstick. I had done some checking on him and I didn't like all the secrecy business."

Can't Recall '\$2,000 Fee'

Mr. Deschamps insists that the New York meeting was the last he had with Mr. Itkin, and that he is completely unaware of any agreement between Mr. Itkin and Westrade, Inc.

As for a \$2,000 fee that Mr. Itkin stated in the registration form that he received from Westrade, Inc.: "Perhaps that was for some expenses he might have had, but I don't remember paying it," Mr. Deschamps said.

Mr. Itkin was also registered as a foreign agent for the Provisional Government of the Republic of Haiti in San Juan, P.R. This exile group was headed by Mr. Dejoie.

The registration and dated May, 1963, Mr. Itkin was to be paid an annual retainer of \$50,000 for a period of two years—"immediately due and owing as soon as the said Provisional Government becomes the de facto or de jure Government of the Republic of Haiti and Haitian Territory."

The records indicate that the relationship between Mr. Itkin and the Haitian group was terminated in September, 1964, and that instead of getting his retainer, Mr. Itkin personally lent Mr. Dejoie \$5,000 for unstated purposes.

Mr. Dejoie was unavailable for comment, but Haitian exiles who asked not to be identified, said that during the time the registration was in effect Mr. Dejoie was often in the Dominican Republic, and was active in one abortive attempt in 1963

to invade Haiti across the Dominican frontier.

A Washington public-relations man, who also asked not to be named, said that during that same period Mr. Itkin met with him at the Regency Hotel in New York to discuss the possibility of obtaining arms and developing a clandestine organization to help overthrow the Duvalier regime in Haiti.

In the years since, Mr. Itkin's contacts in the Dominican Republic have been maintained, and records show that he traveled to Santo Domingo numerous times up until his indictment last fall.

Dominican 'Mission'

According to businessmen, Mr. Itkin made about 20 visits to the Dominican Republic in 1965, beginning shortly after the civil war broke out in April of that year.

A close friend said Mr. Itkin described his trips to Santo Domingo as "missions" having to do with United States efforts to bring stability to the war-torn country.

It is not clear exactly when Mr. Itkin first became involved with Corallo, the reputed Mafia figure, but Federal officials say it was before 1965 and after 1961.

The officials confirm that Mr. Itkin traveled with Corallo to London—a city Mr. Itkin visited often—in 1966, when the British Government refused to permit Corallo to remain. The reported cause of Corallo's ouster was that he was trying to gain control of some of London's legal gambling casinos.

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